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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 - - -  
4 NATIONAL HEALTHCARE : CIVIL ACTION  
SERVICES, INC., :  
5 Plaintiff, :  
6 :  
7 v. :  
8 :  
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**COPY**

7 PENN TREATY AMERICAN :  
CORPORATION, et al., :  
8 Defendants. : NO. 02-CV-3600

9 Monday, October 13, 2003

10 - - -  
11 Videotaped deposition of  
WEBSTER E. BARTH, III, taken pursuant to  
12 notice, was held at the law offices of  
Ballard, Spahr, Andrews & Ingersoll, LLP,  
13 1735 Market Street, 51st Floor,  
Philadelphia, Pennsylvania, beginning at  
14 9:42 a.m., on the above date, before Ann  
Marie Mitchell, a Federally-Approved  
15 Registered Merit Reporter and  
Commissioner of Deeds in the Commonwealth  
16 of Pennsylvania.

17



1 Washington C corp. Excuse me, a sub-S.

2 Q. Did you create Copperfields?

3 A. I did.

4 Q. What type of business does  
5 Copperfields engage in?

6 A. It was created to market  
7 ship model cases around the world that  
8 are sold on the Internet. It no longer  
9 does that. I sold that. But  
10 Copperfields I use as a -- a corporate  
11 entity for handling a variety of  
12 different consulting clients.

13 Q. When you say ship model  
14 cases --

15 A. Cases, yes.

16 Q. -- you mean --

17 A. Wooden cases for antique  
18 ships. People order them on the  
19 Internet. I ship them all over the  
20 world. I did until I sold the business  
21 this winter.

22 Q. What was your title at  
23 Copperfields back in '99 when it was  
24 created?

1                   A.     President, owner, chairman,  
2     only employee, only officer.

3                   Q.     So you founded the company?

4                   A.     Yes, I did.

5                   Q.     And you were the sole  
6     founder of the company?

7                   A.     Yes, I was. And am. I am  
8     today.

9                                   I have a bad cold, so if I  
10    look like I'm fading on you here or  
11    something, it's not that I'm not  
12    interested.

13                  Q.     That's okay. Are there any  
14    investors of Copperfields?

15                  A.     Not in -- not in  
16    Copperfields itself, no. Just me.

17                  Q.     You testified that you were  
18    involved in connection with a universal  
19    life insurance product for Penn Treaty?

20                  A.     No. It was a company called  
21    First Penn Pacific.

22                  Q.     Oh, First Penn Pacific?

23                  A.     In Chicago.

24                  Q.     What exactly was your

1                   March 23rd.

2    BY MS. HONG:

3                   Q.     March 23, 2001. The text on  
4     the top of the e-mail says, "Jackie- Here  
5     are a few areas to clarify, please: 1.  
6     First of all, we have a new exec helping  
7     to manage our fulfillment and service  
8     job. His name is Mike Callahan  
9     (callahankids@aol.com) and I would  
10    appreciate it if you would include him in  
11    your email traffic to Mike Hauert and  
12    me."

13                   Who is the we that's  
14    referenced in the first sentence, first  
15    of all, we have a new exec?

16                   A.     That's Copperfields.

17    Mike -- we're Copperfields now, we've  
18    added Mike Hauert. In a way we're  
19    Copperfields as far as everyone was  
20    concerned, and we've added Mike to the  
21    distribution list as part of  
22    Copperfields.

23                   MR. RIVERA-SOTO: Mike  
24                   Callahan?